

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:08-CR-0155-01
	:	
v.	:	(Judge Conner)
	:	
EDWARD MONTGOMERY,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 27th day of February, 2009, upon consideration of defendant's *pro se* motion (Doc. 105) to terminate William Fulton, Esquire ("Attorney Fulton") as counsel for defendant, and of the response (Doc. 107) to defendant's motion, filed by Attorney Fulton, and it appearing that irreconcilable conflicts have arisen between defendant and Attorney Fulton, see 18 U.S.C. § 3006a(c) ("[T]he court may, in the interests of justice, substitute one appointed counsel for another at any stage of the proceedings."); United States v. Welty, 674 F.2d 185, 188 (3d Cir. 1982) (identifying "irreconcilable conflict" as cause for appointing substitute counsel); see also PA. RULES PROF'L CONDUCT R. 1.7, 1.16; UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA, CRIMINAL JUSTICE ACT PLAN at 8 (2005), it is hereby ORDERED that:

1. Defendant's motion (Doc. 105) is CONSTRUED as a motion for substitution of counsel and is GRANTED as so construed.
2. The appointment of William J. Fulton, Esquire, as counsel for defendant in the above-captioned case is terminated.

3. Lori J. Ulrich, Esquire, of the Federal Public Defender's Office, 100 Chestnut Street, Suite 306, Harrisburg, Pennsylvania, 17101-2540, telephone number (717) 782-2237, is appointed to represent defendant in the above-captioned case.
4. The Clerk of Court is directed to forward all necessary materials to Lori J. Ulrich, Esquire, as soon as possible.
5. William J. Fulton, Esquire, is directed to provide to Lori J. Ulrich, Esquire, the file in the above-captioned case as soon as possible.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge